

VZCZCXYZ0003
OO RUEHWEB

DE RUEHAS #0851/01 1301951
ZNY CCCCC ZZH
O 101951Z MAY 06
FM AMEMBASSY ALGIERS
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1058
INFO RUEHKL/AMEMBASSY KUALA LUMPUR 0044
RUEHLO/AMEMBASSY LONDON 1261
RUEHFR/AMEMBASSY PARIS 1795
RUEHRB/AMEMBASSY RABAT 1305
RUEHTU/AMEMBASSY TUNIS 6146
RUEHEG/AMEMBASSY CAIRO 0757

C O N F I D E N T I A L ALGIERS 000851

SIPDIS

SIPDIS

E.O. 12958: DECL: 05/10/2016
TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [AG](#)
SUBJECT: ALGERIAN PRESIDENT PARDONS JOURNALISTS

Classified By: Ambassador Richard W. Erdman,
Reasons 1.4 (b) and (d).

OVERVIEW AND COMMENT

11. (C) On the occasion of World Press Freedom Day, President Bouteflika issued a communique May 2 pardoning Algerian journalists found "definitively" guilty of "insults against civil servants, offense against the President of the Republic, and insults against corporate bodies." The announcement came in the context of official speeches underscoring Algeria's commitment to freedom of the press and the indispensable role a free press plays in a democracy. The European Union, in a May 4 statement, praised Bouteflika's action as a "positive sign" of the willingness of Algerian leaders to respect freedom of the press. Algerian civil society and most journalists applauded the move as a welcome step that will remove a blot on Algeria's international image and end the anomaly of a presidential pardon for convicted terrorists, but not for journalists. At the same time, others have argued that Bouteflika used the pardon to make himself appear as a great protector of the press and to deflect attention from the underlying problem -- a tough defamation law that criminalizes defamation and increases pressures for self-censorship.

12. (C) While there are currently roughly 20 journalists convicted of defamation who could benefit from the pardon, none of these are currently in prison and many of the convictions are being appealed. The one journalist currently in prison (Benchicou) is serving time for a financial crime, not defamation, despite the fact that he was subsequently found guilty on a separate defamation charge. At this point, it is not clear if those whose convictions are currently on appeal will benefit from the pardon now, only after their appeals are adjudicated, or not at all. The official government daily El Moudjahid reports that some 200 individuals will benefit, suggesting an inclusive approach that will extinguish the sentences of all those currently convicted (whether on appeal or not) as well as expunge historical cases from the record. Whatever the case or the mixture of motivations, the step to pardon journalists convicted on defamation charges is definitively positive. It shows that the government is in fact sensitive to criticism of its performance in this area and the damage this causes to Algeria's international image. To encourage further progress, once we have more concrete indications of how the pardon will be implemented, we should give Algeria credit and recognition for this positive step, while continuing to press privately for decriminalization of defamation. (End Summary and Comment.)

PARDON AFFECTS UNJAILED JOURNALISTS CONVICTED OF DEFAMATION

13. (U) At this point, it is unclear how many journalists will be affected by the presidential pardon. Currently, there is one journalist in jail (but not on defamation charges) and there are roughly twenty journalists who have been sentenced for defamation, but whose sentences have not been implemented or are being appealed. By contrast, the official government daily, El Moudjahid, reported May 6 that the pardon would affect 200 persons and Ministry of Justice contacts confirmed this figure to us. The Ministry stated the total number included "many historical cases" but refused to elaborate. Post speculates the additional figures could indicate that GOA plans to expunge the record of journalists tried and sentenced for past defamation offenses. According to press reports from the French daily Le Monde, Algerian journalists consider the Ministry's figure at present "unsubstantiated."

JOURNALISTS' REACTION FAVORABLE

14. (SBU) The Algerian press generally welcomed the move by President Bouteflika. A journalist from French-language daily Le Soir d'Algerie told us, "This is really good maneuvering on the part of Bouteflika. He has done a good job internationally and now he is focused domestically. Once more Bouteflika is seen as....the leader who reconciles." A journalist from the French-language Liberte was quoted in the press as saying, "When I heard the 8 o'clock news, I did not believe my ears, a pardon for journalists. This is unbelievable. What does that mean? In my mind only criminals and terrorists have been pardoned by the President, why should we not be pardoned?" Some journalists saw evidence of political pragmatism as a journalist from the French-language le Jeune Independent noted, "I do not know if this is a good measure or not, but it is certainly good for Bouteflika's image."

MOST PROMINENT JAILED JOURNALIST MAY YET BENEFIT

15. (SBU) It is unlikely that Mohamed Benchicou, imprisoned former editor of the Algerian French-language daily Le Matin and subject of much international attention, will be released from prison as a result of the presidential action, since he was tried and sentenced for illegal financial transactions, not defamation per se. In any case, he is nearing completion of the second year of his two-year sentence. He may, however, benefit from the pardon since he has separately been charged and convicted of defamation. The French newspaper Le Monde reported May 6 that an Algerian support group for Benchicou, le Comite Benchicou, issued a statement calling the pardon a "smoke screen" that failed to address the root problem with Algeria's laws governing freedom of the press.

ERDMAN